

# **EXHIBIT 3**

DEPARTMENT OF STATE

WASHINGTON

The Department of State wishes to call the attention of the Embassy of Antigua and Barbuda to the criminal case of Mr. John William Ashe, presently pending in United States District Court for the Southern District of New York. In this regard, the Department expresses its appreciation for the October 14, 2015, letter from the Government of Antigua and Barbuda's Ministry of Legal Affairs to the United States Attorney for the Southern District of New York ("United States Attorney's Office"). The October 14, 2015, letter expresses the deep concern of the Government regarding this case and the Government's intention to cooperate in a full manner with the United States Attorney's Office.

As the Embassy is aware, Mr. Ashe, a former employee at the Permanent Mission of Antigua and Barbuda to the United Nations, is accused of subscribing to false and fraudulent United States individual income tax returns as part of a conspiracy by Mr. Ashe and others involving bribery and money laundering. The United States Attorney's Office has asked the Department of State to request the assistance of the Government of Antigua and Barbuda in two respects as described below.

A&B - 2016 -01

DIPLOMATIC NOTE

First, the Department of State requests the Government of Antigua and Barbuda waive, via diplomatic note, any immunity Mr. Ashe might enjoy with regard to the acts listed in attachment A in connection with the criminal activity described in the Complaint and Indictment in this case. In addition, if the Government of Antigua and Barbuda is of the view that none of the acts listed in Attachment A was an official act performed in the exercise of Mr. Ashe's functions as a member of the mission, the Department requests the Government's confirmation of that conclusion.

Additionally, the United States Attorney's Office requests copies of certain documents relevant to the issues in the case which it intends to present to the United States District Court. A list of these documents is at Attachment B. To the extent, if any, that these documents may be covered by archival immunity enjoyed by the Government of Antigua and Barbuda, the Department requests that the Government provide an express waiver of that immunity in order to permit the introduction of these documents to the United States District Court. Alternatively, if the Government's view is that no archival immunity is applicable, the Department would appreciate the Government's confirmation of that conclusion.

The Department notes that this is sensitive law enforcement information and requests that due care be given by the Government in this regard.

The Department appreciates the cooperation of the Embassy and of the Government of Antigua and Barbuda in this important matter and, in the spirit of the Government's October 14, 2015, letter, expresses its hope that a positive response to these requests will be forthcoming.

Enclosure:

As stated.

Department of State,

Washington, January 6, 2016

A handwritten mark, possibly a signature or initials, consisting of a loop and a checkmark-like stroke.

Attachment A

- (1) Arranging for the appointment of [REDACTED] as a Goodwill Ambassador for Antigua and Barbuda on or about April 26, 2012.
- (2) Arranging for the appointment of [REDACTED] as Economic Envoy and/or head of the Antigua and Barbuda Investment Office in Hong Kong on or about March 6, 2013.
- (3) Appointing Shiwei Yan, a/k/a "Sheri Yan" ("Yan") and Heidi Hong Piao, a/k/a "Heidi Park" ("Piao") as Advisers to the Office of the Prime Minister of Antigua and Barbuda on or about October 29, 2013.
- (4) Appointing Yan and Piao as Advisers to the Office of the President of the General Assembly on or about October 29, 2013.
- (5) Signing and submitting an original and revised United Nations Document Number A/66/748, the revised version of which is attached.

(6) Advocating within the United Nations and elsewhere for the development of a conference center in Macau, China, to be built by [REDACTED] between in or about 2011 and in or about December 2014.

(7) Advocating for the interests of [REDACTED] (referred to as CC-1 in the Complaint and in the Indictment) in Antigua and Barbuda in or about Summer 2012.

(8) Advocating for the business interests of [REDACTED] (referred to as CC-2 in the Complaint and in the Indictment) and/or the company with whom he was affiliated, [REDACTED] (referred to as Chinese Security Company in the Complaint) in Antigua and Barbuda and elsewhere between in or about Fall 2013 and in or about Spring 2014.

(9) Accepting an invitation to attend, attending, and speaking at a November 2013 conference organized by [REDACTED] (referred to as CC-3 in the Complaint and the Indictment) in Guangzhou, China.

(10) Advocating for the business interests of [REDACTED] [REDACTED] and other affiliated entities, of Ng Lap Seng, a/k/a "David Ng," a/k/a "David Ng Lap Seng," Francis Lorenzo, a/k/a

"Frank Lorenzo," and/or Jeff C. Yin, a/k/a "Yin Chuan," between in or about 2011 and in or about December 2014.

(11) Advocating for the business interests of Global Sustainable Development Foundation, Global Sustainability Foundation, and other affiliated entities of Shiwei Yan, a/k/a "Sheri Yan," and Heidi Hong Piao, a/k/a "Heidi Park" between in or about Spring 2012 and in or about October 2015.

Attachment B

(1) Tax returns of John W. Ashe between 2009 and 2015 submitted to the Government of Antigua and Barbuda.

(2) E-mails within his Antigua and Barbuda e-mail account, and other correspondence, between John W. Ashe and officials in Antigua and Barbuda concerning: (a) the appointments of [REDACTED], Shiwei Yan, a/k/a "Sheri Yan," Heidi Hong Piao, a/k/a "Heidi Park," and/or [REDACTED] [REDACTED] as representatives of Antigua and Barbuda, and/or (b) the interests of [REDACTED] and/or [REDACTED] [REDACTED] including correspondence with the [REDACTED] and/or others at the Ministry of National Security.

(3) Memoranda of Understanding between Antigua and Barbuda and [REDACTED] [REDACTED] [REDACTED] including that signed between [REDACTED] and the Ministry of National Security on or about April 6, 2014.





**GOVERNMENT OF ANTIGUA AND BARBUDA**

**Ministry of Legal Affairs  
Office of the Attorney General  
Government Office Complex  
Parliament Drive  
St. John's, ANTIGUA W.I.**

Telephone: (268) 462-0017  
Fax: (268) 462-2465  
Email: [legalaffairs@ab.gov.ag](mailto:legalaffairs@ab.gov.ag)

14<sup>th</sup> October, 2015

Mr. Preet Bharara  
United States Attorney  
United States Attorney's Office  
One St. Andrews Plaza  
New York, NY 10007  
United States of America

Dear Sir:

**Re: Former United Nations General Assembly President  
Dr. John Ashe and Others Charged in Bribery Scheme**

Our attention has been drawn to the United States Attorney's Office for the Southern District of New York Press Release of Tuesday October 6, 2015.

The press release stated that former Antigua and Barbuda Ambassador to the United Nations and former President of the 68<sup>th</sup> United Nations General Assembly, Dr. John Ashe along with five others, were charged with a million dollar bribery scheme.

The press release further stated that Dr. John Ashe used some of the moneys received by him from the scheme to make bribe payments to former Prime Minister Baldwin Spencer.

The Government of Antigua and Barbuda is deeply concerned about this development and the possible negative implications and image that it holds for Antigua and Barbuda. In this regard, the Government intends to co-operate fully with your Office in its investigations and stands ready to comply with any law requests you may make in this regard.

.../2

Please be informed that under the Constitution of Antigua and Barbuda Mr. Anthony Armstrong, the Director of Public Prosecutions, is solely responsible for the conduct of criminal matters in this State.

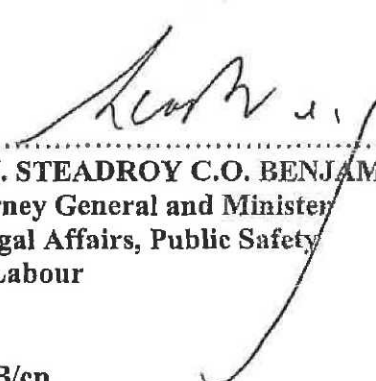
In those circumstances, if you so desire, you may contact Mr. Anthony Armstrong directly at the following address:-

**Mr. Anthony Armstrong  
Director of Public Prosecutions  
Government Office Complex  
Parliament Drive  
St. John's  
Antigua**

I am accordingly extending an invitation to you for a meeting, should you desire so to do, with the appropriate persons or body concerning possible criminal prosecutions at a convenient date. You may also contact The Director of Public Prosecutions at these telephone numbers **1-268-462-2464/1-268-462-0017** or by email [dpp@ab.gov.ag](mailto:dpp@ab.gov.ag).

Please be guided accordingly.

Very truly yours,



.....  
**HON. STEADROY C.O. BENJAMIN**  
**Attorney General and Minister**  
**of Legal Affairs, Public Safety**  
**and Labour**

**SCOB/cp**

c.c. Mr. Anthony Armstrong  
Director of Public Prosecutions  
Government Office Complex  
Parliament Drive  
St. John's  
Antigua

EMBASSY OF ANTIGUA & BARBUDA  
WASHINGTON, D.C.



EMB/07/2016

The Embassy of Antigua and Barbuda presents its compliments to the Department of State and has the honour to refer to the latter's Note A&B-2016-01 dated 6<sup>th</sup> January 2016 requesting certain information pertaining to John Ashe, a former employee at the Permanent Mission of Antigua and Barbuda to the United Nations.

The Government of Antigua and Barbuda apologizes for the delay in formally responding to the State Department's Note, and explains that since the current Administration in Antigua and Barbuda was not in office at the time that the incidents occurred, it had to seek clarification and explanations from the former Prime Minister and Foreign Minister, Mr. Baldwin Spencer. The Government has been awaiting Mr. Spencer's communication which it received only on 17<sup>th</sup> March 2016.

The Embassy of Antigua and Barbuda has been instructed to transmit to the State Department the official communication from Mr. Baldwin Spencer to the Prime Minister of Antigua and Barbuda, the Honourable Mr. Gaston Browne. Mr. Spencer's letter dated March 16, 2016 is herewith attached.

The Government of Antigua and Barbuda releases the letter to the State Department for its appropriate use by agencies of the Government of the United States as identified in Note A&B-2016-01 of 6<sup>th</sup> January 2016.

The Embassy of Antigua and Barbuda avails itself of this opportunity to renew to the State Department the assurances of its highest consideration.

Washington, D.C.  
18 March 2016

Department of State  
Washington, D.C.





**OFFICE OF  
THE LEADER OF THE OPPOSITION**

P.O. Box 2379  
ST. JOHN'S  
ANTIGUA

TEL: 268-736-9023  
EMAIL: [oppositionleaderanu@gmail.co](mailto:oppositionleaderanu@gmail.co)

March 16, 2016

Honourable Prime Minister, Gaston Browne  
Office of the Prime Minister  
Queen Elizabeth Highway  
St. John's, Antigua  
Antigua & Barbuda

**Re: Dr. John W. Ashe Official Acts as Permanent Representative to the United Nations**

Dear Sir:

Pursuant to our conversations and the request made regarding the above referenced matter kindly take note of the following.

Dr. Ashe in his official capacity as Antigua & Barbuda's Permanent Representative to the United Nations between 2004 and 2014 acted for and on the behalf of the State in the following matters.

1. The appointment of [REDACTED] as a Goodwill Ambassador for Antigua & Barbuda.
2. The appointment of [REDACTED] as Economic Envoy and/or head of Antigua and Barbuda Investment Office in Hong Kong.
3. The appointment of Shiwei Yan and Heidi Hong Piao as Advisers to the Office of the Prime Minister.
4. Sought to bring investment to Antigua & Barbuda through [REDACTED]
5. Sought to bring investment to Antigua & Barbuda through [REDACTED]
6. Building a relationship between Antigua & Barbuda and [REDACTED]

It is important to note that none of the appointments or actions in seeking investment required any quid pro quo exchange of any kind.

INDEPENDENCE AVE, ST. JOHN'S, ANTIGUA, WEST INDIES

I wish to further point out that actions taken by Dr. Ashe while he was the President of the United Nations General Assembly that were done in the interest and for the good of Antigua and Barbuda are also deemed acts done in his official capacity.

Respectfully yours

A handwritten signature in dark ink, appearing to read 'Winston Baldwin Spencer', written over the typed name and title.

Winston Baldwin Spencer  
Leader of the Opposition  
Parliamentary Representative SJRW